



FLORIDA
DEPARTMENT of
CORRECTIONS

Governor

RON DESANTIS

Secretary

MARK S. INCH

501 South Calhoun Street, Tallahassee, FL 32399-2500

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May 6, 2021

The Honorable Ron DeSantis
Executive Office of the Governor
PL 05, The Capitol
400 South Monroe Street
Tallahassee, Florida 32399-0001

Dear Governor DeSantis:

I have carefully reviewed the execution by electrocution procedures issued by my department. Pursuant to these procedures, I represent the following:

As Secretary of the Florida Department of Corrections, I have reviewed the Department's Execution by Electrocution Procedures to ensure proper implementation of the Department's statutory duties under Chapter 922, Florida Statutes. The process will not involve unnecessary lingering or the unnecessary or wanton infliction of pain and suffering. The foremost objective of the execution by electrocution process is a humane and dignified death. Additional guiding principles of the execution by electrocution process are that it should not be of long duration, and that while the entire process of execution should be transparent, the concerns and emotions of all those involved must be addressed.

I hereby certify that the Department is prepared to administer an execution by electrocution and has the necessary procedures, equipment, facilities, and personnel in place to do so. The Department has available the appropriate persons who meet the minimum qualifications under Florida Statutes and in addition have the education, training, or experience, including the necessary licensure or certification, required to perform the responsibilities or duties specified and to anticipate contingencies that might arise during the execution procedure.

Sincerely,

Mark S. Inch
Secretary



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EXECUTION BY ELECTROCUTION PROCEDURES

PURPOSE: To establish the procedure for the execution by electrocution of inmates sentenced to death, pursuant to the dictates of Chapter 922, Florida Statutes and adhering to the requirements imposed by the Constitution of the State of Florida and the United States Constitution. The foremost objective of the electrocution process is a humane and dignified death.

APPLICATION: This procedure applies to any execution by electrocution, as permitted in Chapter 922, Florida Statutes. This procedure supersedes the Florida Department of Corrections *Execution by Electrocution Procedures* dated February 27, 2019.

Pursuant to section 922.105(1), Florida Statutes, a death sentence shall be executed by lethal injection, unless the person sentenced to death affirmatively elects to be executed by electrocution. Pursuant to section 922.105(2), Florida Statutes, a person convicted and sentenced to death for a capital crime at any time shall have one opportunity to elect that his or her death sentence be executed by electrocution. The election for death by electrocution is waived unless it is personally made by the person in writing and delivered to the warden of the correctional facility within 30 days after the issuance of mandate pursuant to a decision by the Florida Supreme Court affirming the sentence of death.

Pursuant to section 922.105(3), Florida Statutes, if electrocution or lethal injection is held unconstitutional by the Florida Supreme Court under the State Constitution, or held to be unconstitutional by the United States Supreme Court under the United States Constitution, or if the United States Supreme Court declines to review any judgment holding a method of execution to be unconstitutional under the United States Constitution made by the Florida Supreme Court or the United States Court of Appeals that has jurisdiction over Florida, all persons sentenced to death for a capital crime shall be executed by any constitutional method of execution.

DEFINITIONS:

- (1) **Chart Recorder**, where used herein, refers to the device used to measure and record electrical amperage and voltage during the electrocution process and during related events and testing.
- (2) **Chin Strap**, where used herein, refers to the leather strap affixed under the nose and over the inmate's chin and mouth and secures the head to the electric chair.
- (3) **Electrocution Cycle**, where used herein, refers to the automatic cycle of electricity used in the electrocution process. The cycle is programmed for an initial cycle of 2,300 volts, 9.5 amps for 8 seconds; a second cycle of 1,000 volts, 4 amps for 22 seconds; and a final cycle of 2,300 volts, 9.5 amps for 8 seconds, for a total 38 second cycle.

- (4) **Electrode Gel**, where used herein, refers to a salt-free and chloride-free electrically conductive gel particularly suitable for long-term application. The electrode gel is applied to the top of the inmate's head and to the calf area of the inmate's lower right leg during the execution preparation process. The gel works by wetting the skin, thereby reducing the skin's natural resistance and enhances and supports electrical conductivity.
- (5) **Emergency Generator**, refers to the main generator at Florida State Prison which is used to provide electrical power for the electrocution process and during related events and testing.
- (6) **Execution Team**, where used herein, refers to correctional staff and other persons who are selected by the team warden designated by the Secretary to assist in the administration of an execution by electrocution, and who have the training and qualifications necessary to perform the responsibilities or duties specified. Individuals on the execution team will be referred to herein as "execution team member" or "team member."
- (7) **Executioner**, where used herein, refers to an individual selected by the team warden to activate the process of electrocution by activating the execution switches and administering the lethal application of electricity. The executioner is only authorized to carry out this specific function under the direction of the team warden. An executioner shall be an adult, undergo a criminal background check, and be sufficiently trained. The executioner must demonstrate to the satisfaction of the team warden that he or she is competent, trained, and of sufficient character to carry out the required function under the team warden's direction.
- (8) **Executioner's Control Panel**, where used herein, refers to the control panel that measures electrical amperage and voltage and houses the execution switches operated by the executioner that initiate and discontinue the application of electricity used in the electrocution process and related events and testing.
- (9) **Head Piece Assembly**, where used herein, refers to the electrical component and assembly consisting of leather, a brass electrode, a strap, and a veil, applied to the top of the inmate's head and to which a high voltage electrical lead is attached. The assembly is designed to deliver the lethal application of electricity during the electrocution process.
- (10) **Institutional Warden**, where used herein, refers to the warden of Florida State Prison, who shall be responsible for handling support functions necessary to carry out the electrocution process.
- (11) **Leg Piece Assembly**, where used herein, refers to the electrical component and assembly consisting of leather, a brass electrode, and a leather lace, applied to the calf area of the inmate's lower right leg and to which a high voltage electrical lead is attached. The assembly is designed to complete the circuit of electricity during the electrocution process.
- (12) **Minister of Religion**, where used herein, refers to a spiritual advisor requested by an inmate to attend an execution as permitted by section 922.11, Florida Statutes. The name of the requested minister of religion must be provided by the inmate to the institutional warden in writing on FDC Form DC6-236 within five days of the issuance of the Governor's Warrant of Execution. A minister of religion shall be an adult and shall undergo a criminal background check. The institutional warden shall also conduct a

review process of the individual as described in Florida Department of Corrections rules and policies applicable to visitor approvals and to spiritual advisor visits. Such a review will be performed even if the requested minister of religion has been previously approved for regular visitation purposes. Prior to final approval, the institutional warden may also conduct interviews of the requested minister of religion or their associates. The institutional warden may undertake any investigation necessary to verify that the minister of religion is recognized by their organized religious body as qualified to perform religious functions as a representative of the religious organization or group. The institutional warden may waive any component of the review process if the requested minister of religion is a chaplain currently employed by the Florida Department of Corrections. Candidates not employed by the Florida Department of Corrections must also execute a Spiritual Advisor Execution Agreement. The agreement is attached hereto as Appendix A.

- (13) **Natural Sea Sponge**, where used herein, refers to a multi-cellular living organism with the scientific classification “porifera.” New and unused sponges of this type and designation shall be utilized in the electrocution process and related events and testing. No natural sea sponge shall be reused in any test, training, or execution.
- (14) **Safety Switch**, where used herein, refers to the mechanically initiated switch that transfers power from the switch box to the executioner’s control panel.
- (15) **Saturated Saline Solution**, where used herein, refers to a mixture consisting of a ratio of one (1) gallon of salt to three (3) gallons of natural water. A saturated saline solution is defined as a mixture of salt and water where, after having thoroughly stirred the mixture, salt that is not dissolved remains in the bottom of the container.
- (16) **Team Warden**, where used herein, refers to a person holding the position of warden or above, as designated by the Secretary. The team warden shall be a person who has demonstrated through experience, training, and good moral character the ability to perform an execution by electrocution. The team warden has the final and ultimate decision making authority in every aspect of the execution process. No deviation from any part of this procedure is authorized unless approved and directed by the team warden.

SPECIFIC PROCEDURES:

- (1) **Receipt of Warrant:** These execution procedures will commence upon receipt of the Governor’s Warrant of Execution. The institutional warden will schedule the execution for a date and time certain that is within the period of time designated in the warrant. The institutional warden shall provide a copy of the Warrant of Execution to the Department’s Secretary and General Counsel, deliver a copy to the named inmate and the team warden, and notify the Florida Department of Law Enforcement (FDLE), any state correctional institutions, and any local agencies that may be affected by the issuance of the warrant, and inform them of the date and time selected for the execution.
- (2) **Selection of the Executioners:**
 - (a) The team warden will select two executioners who are fully capable of performing the designated functions to carry out the execution. The team warden will provide each executioner with a copy of this procedure and will explain fully their respective duties and responsibilities and assure that each executioner is

trained for the function assigned. The identities of the executioners will be kept strictly confidential as provided by statute.

- (b) The team warden will designate one (1) of the selected executioners as the primary executioner and the other as the secondary executioner. The primary executioner will be solely responsible for engaging the execution switches and administering the lethal application of electricity. The secondary executioner will be present and available during the execution to assume the role of the primary executioner if the primary executioner becomes unable to continue for any reason, as determined by the team warden, to carry out his or her functions.

- (3) **Selection of the Execution Team:** The team warden will designate the execution team members and verify that each team member has the training and qualifications, possesses current, necessary licensure or certification, required to perform the responsibilities or duties specified. The team warden will ensure that all execution team members and other involved staff have been adequately trained to perform their requisite functions in the execution process. The team warden shall select personnel with sufficient training and experience to perform the technical procedures needed to carry out an execution by electrocution. The identities of any team members with medical qualifications shall be strictly confidential.

- (a) The team warden shall select the team member(s) responsible for performing the following functions:
 1. Shaving of the inmate's head and calf area of the lower right leg.
 2. Supervision of the showering of the inmate.
 3. Delivery of clothing to the inmate to be worn during the execution, consisting of blue dress pants and a white button-up shirt.
 4. Application of the electrode gel.
 5. Mixing of the saturated saline solution and placement of two (2) natural sea sponges in the solution.
 6. Verify all telephone lines are open and operable and establish communication with the Office of the Governor.
 7. Verify the public address system is functional and operable.
 8. Escort the inmate to the execution chamber and place the inmate in the electric chair.
 9. Secure the inmate in the electric chair by fastening the ankle, lap, chest, arm, and forearm straps.
 10. Apply leg piece assembly and a natural sea sponge to the calf area of the inmate's lower right leg, and attach the high voltage electrical lead.
 11. Escort the minister of religion.
 12. Operate the witness gallery window covering and public address (PA) system.
 13. Report actions inside the executioner's room to the team warden.
 14. Maintain the checklists that detail the events surrounding the execution.
 15. Record any last statement by the inmate.
 16. Secure the chin strap to the inmate, after any last statement.
 17. Apply the head piece assembly and a natural sea sponge to the crown of the inmate's head, and attach the high voltage electrical lead.
 18. Verify the execution chamber is operating under emergency generator power.
 19. Close the safety switch and activate the executioner's control panel.

20. Stand behind or near the electric chair during the execution process, donned with certified high voltage gloves.
21. Identify a physician to examine the inmate's body and pronounce death.
22. Assist with the removal of the inmate's body from the electric chair.

This list is not intended to be exhaustive. There may be other necessary tasks to carry out an execution and such tasks will be assigned by the team warden.

Each execution team member is responsible and authorized to raise concerns that become apparent during the execution and to bring them to the attention of the team warden.

- (b) The team warden shall select staff from the following classes of trained professionals to perform the related duties in section (a) above: Electrician; Pharmacists licensed under Chapter 465, Florida Statutes; Wardens; Assistant Wardens; Correctional Officer Chiefs; Correctional Services Administrators; Physicians or Physician Assistants licensed under Chapter 458 or 459, Florida Statutes; Correctional Probation Supervisors; Classification Supervisors; and, Paramedics or Emergency Medical Technicians certified under Chapter 401, Florida Statutes.

- (4) **Training of the Execution Team and Executioners:** There shall be sufficient training to ensure that all personnel involved in the execution process are prepared to carry out their distinct roles for an execution. All team members shall be instructed on the effects of the application of lethal electricity. All simulations or reviews of the process shall be considered training exercises. The team warden, or his or her designee, will conduct simulations of the execution process on a semi-annual basis at a minimum, or more often as needed as determined by the team warden. Additionally, a simulation shall be conducted the week prior to any scheduled execution, when the sentence is to be carried out by electrocution. All persons involved with the execution should participate in the simulations. If a person cannot attend the simulation, the team warden shall provide for an additional training opportunity or otherwise ensure that the person is adequately trained to complete his or her assigned task(s). There shall be a written record of any training activities. The simulations should anticipate various contingencies. Examples of possible contingencies shall include:

- (a) Issues related to problems with the equipment needed to carry out an execution.
- (b) Combative inmate.
- (c) Incapacity of any execution team member or executioner.
- (d) Unanticipated medical emergency concerning the inmate, an execution team member, or an executioner.
- (e) Problems related to the order and security at Florida State Prison, including but not limited to disturbances, unrest or resistance.
- (f) Power failure or other facility problems.

This list is not meant to be exhaustive and only provides examples of the types of contingencies that could arise during the course of an execution. The team warden is responsible for ensuring that training addresses, at a minimum, the above situations.

- (5) **Use of Checklists:** Compliance with this procedure will be documented on appropriate checklists. Upon completion of each step in the process, the designated team member will indicate when the step has been completed. Prior to the administration of lethal electricity, the team warden will consult with the designated team member and verify that all steps in the process have been performed properly. At the conclusion of the process, the team warden will again consult with the designated team member and verify that the remaining steps in the process were performed properly. The team warden will then sign the forms, attesting that all steps were performed properly.
- (6) **Purchase and Maintenance of Supplies:** The institutional warden will purchase, and at all times ensure a sufficient supply, of natural water, salt, natural sea sponges, and electrode gel. The institutional warden will ensure that no supply item with an expiration date is used when it reaches or surpasses its expiration date. All supply items will be accounted for and maintained in a secure location. The FDLE agent in charge of monitoring the execution preparation of the process shall confirm that all supply items are correct and current.
- (7) **FDLE Monitors:**
- (a) Two (2) FDLE agents shall serve as monitors and shall be responsible for observing the actions of the execution team and the condition of the inmate at all times during the execution process.
- (b) The first FDLE agent shall be located in the executioner's room and is responsible for observing the closing of the safety switch and activation of the executioner's control panel after the order of the team warden is given, and keeping a detailed log as to what occurs in the executioner's room at a minimum of two (2) minute intervals, including recording the time the execution switches are engaged and the time the execution switches are disengaged. A copy of the log shall be provided to the team warden and shall be available at the post-execution debriefings.
- (c) The second FDLE agent shall be located in the execution chamber and will be responsible for keeping a detailed log of what occurs in the execution chamber at a minimum of two (2) minute intervals. A copy of the log shall be provided to the team warden and shall be available for the post-execution debriefings.
- (8) **On the Day of Execution:**
- (a) A food service director, or his or her designee, will personally prepare and serve the inmate's last meal. The inmate will be allowed to request specific food and non-alcoholic drink to the extent such food and drink costs forty dollars (\$40) or less, is available at the institution, and is approved by the food service director.
- (b) A designated execution team member shall ensure the execution chamber floor is covered with rubber mats and the electric chair is secured in place.
- (c) The team warden will administer both a presumptive drug test (oral swab method) and a presumptive alcohol test (breath analyzer) to each execution team member. A positive indication for the presence of alcohol or any chemical substance that may impair their normal faculties will disqualify that person from

participating in the execution process. Upon arrival of the executioners to perform their duties, the team warden will administer both a presumptive drug test (oral swab method) and a presumptive alcohol test (breath analyzer) to each executioner. A positive indication for the presence of alcohol or any chemical substance that may impair their normal faculties will disqualify that person from participating in the execution process. If one or both of the executioners is disqualified, the team warden will continue to select and test as many additional executioners as is necessary to ensure the presence of two (2) qualified executioners at the execution.

- (d) A designated execution team member will ensure that the telephone in the execution chamber is fully functional and that there a fully-charged, fully functional cellular telephone is available. Telephone calls will be placed from the telephones to ensure proper operation. Additionally, a team member shall ensure that the two-way audio communication system is fully functional.
- (e) A designated team member will ensure that the PA system is fully functional.
- (f) Approximately two (2) hours prior to the scheduled execution, the institutional warden shall escort the inmate to the execution preparation area and turn custody of the inmate over to the team warden.
- (g) Approximately two (2) hours prior to the scheduled execution, the inmate will be escorted by one (1) or more team members to the preparation area where designated team members of the same gender as the inmate will supervise the shaving of the inmate's head and calf area of the lower right leg and the showering of the inmate. Immediately thereafter, the inmate will be returned to his or her cell and issued appropriate clothing.
- (h) The only staff authorized to be in the execution chamber area are the members of the execution team and others as approved by the team warden, including two (2) monitors from FDLE.
- (i) Approximately one and one-half (1 ½) hours prior to the scheduled execution, a designated execution team member, in the presence of one or more additional team members and an FDLE monitor, will prepare the saturated saline solution for use and place two (2) natural sea sponges into the saturated saline solution, one (1) to be used with the head piece assembly and (1) to be used with the leg piece assembly.
- (j) Only new and unused natural sea sponges shall be used in the electrocution process. The natural sea sponges considered for use shall be inspected in order to detect tears, foreign debris, or other defects that could hinder the efficiency of the sponge. The dimensions of the sponges shall be sufficient to cover all of the electrodes inside of the head piece assembly and the leg piece assembly. If a sponge is determined unsuitable, it shall be discarded and a new sponge selected and inspected as described herein.
- (k) The execution team member who has prepared the saturated saline solution will transport it, in the presence of one or more additional team member and in the presence of an FDLE monitor, to the execution chamber and place the container

holding the saturated saline solution and the natural sea sponges directly behind the electric chair.

- (l) The team warden will explain the electrocution procedure to the inmate and ensure the provisions of any medical assistance or care deemed appropriate. The inmate will be offered and, if accepted, will be administered intramuscular injections of hydroxyzine, in appropriate dosages relative to weight, to ease anxiety.
- (m) Approximately one (1) hour prior to the scheduled execution, authorized media representatives will be picked up at the designated media on-looker area located at New River Correctional Institution by two (2) designated Department of Corrections escort staff, transported to the main entrance of Florida State Prison as a group, cleared by security, and escorted to the population visiting park, where they will remain until being escorted to the witness gallery by the escort staff.

(9) **Within the Thirty Minutes Preceding the Execution:**

- (a) A designated team member will establish telephone communication with the Office of the Governor on behalf of the team warden. The team warden will communicate with the Office of the Governor to determine whether any cause for delay exists. The telephone line will remain open to the Office of the Governor during the entire execution procedure. The designated team member will use this open line to report the ongoing activities of the execution team and other personnel to the Office of the Governor.
- (b) When the team warden determines that no cause for delay remains, a designated team member will escort the two (2) executioners into the executioner's room, where they will remain until the execution process is complete.
- (c) The team warden will read the Warrant of Execution to the inmate. The inmate may waive the reading of the warrant.
- (d) One (1) or more designated team members will apply the electrode gel to the top of the inmate's head and to the calf area of the inmate's lower right leg.
- (e) One (1) or more designated team members will apply restraints to the inmate and escort him or her from the cell to the execution chamber.
- (f) One (1) or more designated team members will assist the inmate, if necessary, and position him or her into the electric chair.
- (g) One (1) or more designated team members will secure the inmate in the electric chair by fastening the ankle, lap, chest, arm, and forearm straps.
- (h) One (1) or more designated team members shall secure the leg piece assembly and a natural sea sponge taken from the container of saturated saline solution to the calf area of the inmate's lower right leg. The team member(s) shall ensure that the natural sea sponge completely covers all areas of the electrode, so as to prevent any direct contact of the electrode and the inmate's skin. The team member(s) shall ensure that the natural sea sponge is sufficiently wet, i.e.,

slightly dripping. As the leg assembly piece and natural sea sponge is secured, any dripping or running saline solution shall be dried with clean towels.

- (i) Official witnesses will be secured in the witness gallery by two (2) designated Department of Corrections escort staff.
- (j) Authorized media representatives will be secured in the witness gallery.
- (k) The only persons authorized in the witness gallery are: twelve (12) official witnesses, including family members of the victim, four (4) alternate official witnesses, one (1) nurse or medical technician, twelve (12) authorized media representatives, one (1) representative from the Department's public affairs office, one (1) designated staff escort, and one (1) designated team member. Any exception must be approved by the institutional warden.
- (l) The institutional warden may deny access to the institution to any visitor, official witness or other person he or she deems a risk to the security of the institution. In the event there is reasonable suspicion that an individual may initiate or attempt to initiate a violent or disruptive act prior to, during, or following an execution, that person will not be permitted to witness the execution and will be escorted off the prison grounds immediately.
- (m) The execution chamber will be secured. Only the team warden, two (2) additional execution team members and one (1) FDLE monitor shall be allowed in the chamber during the administration of the execution. Any exceptions or contingencies must be approved by the team warden.
- (n) The executioner's room will be secured. Only the executioners, the team member reporting actions in the executioner's room to the team warden, the team member reporting actions to the Office of the Governor, the team member maintaining the checklists, the Secretary of the Department, the institutional warden and one (1) FDLE monitor shall be allowed in the executioner's room. Any exception must be approved by the team warden.

(10) **Administration of the Execution:**

- (a) The designated team member will open the covering to the witness gallery window. The team warden will use the open telephone line to determine from the Governor whether there has been a stay of execution. If the team warden receives a negative response, he or she will then proceed with the execution.
- (b) The designated team member will turn on the PA system. The team warden will permit the inmate to make an oral statement, which will be broadcast into the witness gallery over the PA system. At the conclusion of the inmate's statement, or if the inmate declines to make a statement, a designated member of the execution team shall turn off the PA system.
- (c) One (1) or more designated team member(s) will apply and secure the chin strap and the head piece assembly and attach the high voltage lead. The team member(s) shall ensure that the sponge covers all areas of the electrode, so as to prevent any direct contact of the electrode and the inmate's skin. The team member(s) shall ensure that the sponge is sufficiently wet, i.e., slightly dripping.

As the head piece assembly is secured, any dripping or running saline solution shall be dried with clean towels.

- (d) After the order of the team warden is given that the execution process shall commence, and in the presence of one (1) FDLE monitor, the designated team member will close the safety switch and activate power to the executioner's control panel. After the team warden gives the order to proceed, the primary executioner will engage the execution switches and the automatic cycle will begin. The designated team member will record the time the execution switches are engaged. The automatic cycle begins with the programmed 2,300 volts, 9.5 amps for 8 seconds; a second cycle of 1,000 volts, 4 amps for 22 seconds; and a final cycle of 2,300 volts, 9.5 amps for 8 seconds, for a total 38 second cycle. When the cycle is complete, the primary executioner will disengage the execution switches. The designated team member will record the time the execution switches are disengaged. The designated team member will open the safety switch, thereby removing power from the executioner's control panel.
- (e) The team warden shall summon the physician after the initial cycle of electricity. If the physician determines signs of life still exist, a second cycle of electricity shall be administered, as outlined in section (10)(d) of this procedure.
- (f) Upon the physician's pronouncement of death, the designated team member will record the time of death.
- (g) The team warden will notify the Governor via the open phone line that the sentence has been carried out and the time of death.
- (h) The designated team member will turn on the PA system. The team warden shall make the following announcement to the witnesses: "The sentence of the State of Florida v. [Inmate Name] has been carried out at [Time of Day]." The designated team member will turn off the PA system.
- (i) The designated team member will close the window covering to the witness gallery.
- (j) The designated Department of Corrections escort staff will escort all witnesses, all of the media pool and any other individuals who are not members of the execution team from the witness room and the execution chamber.

(11) **Immediate Post-Execution Procedures:**

- (a) The institutional warden will coordinate the entry of hearse attendants for recovery of the inmate's body.
- (b) The inmate's body will be removed from the electric chair by hearse attendants and designated team members, under the supervision of the team warden.
- (c) The institutional warden, or his or her designee, will obtain a certification of death from the physician and will deliver the certification to the hearse attendants prior to their departure.

- (d) The inmate's body will be transported by the hearse attendants to the Office of the Medical Examiner, Florida District Eight, for autopsy.
 - (e) The team warden shall conduct a brief debriefing interview with every execution team member and the executioners, documenting any exceptional circumstances that arose during the execution. Subsequent debriefings will take place, as appropriate.
- (12) **Follow-Up Procedures:**
- (a) The institutional warden will forward the Warrant of Execution and a signed statement of the execution to the Secretary of State.
 - (b) The institutional warden will file an attested copy of the Warrant of Execution and a signed document of the execution with the clerk of the court that imposed the sentence.
 - (c) The institutional warden, or his or her designee, will advise Central Office Records by e-mail of the inmate's name and the date and time of death by execution.
- (13) **Semi-Annual Independent Testing of Electric Chair and Components:** An independent contract provider will perform semi-annual inspection and testing of the electric chair and related components. The institutional warden will maintain the reports, and will furnish the Secretary with written reports, of the semi-annual testing. The semi-annual testing shall include:
- (a) Inspection of leg piece assembly and head piece assembly, to include an inspection of all electrical leads.
 - (b) Testing of execution breaker 1A, incoming breaker 3A, spare breaker 2A, medium voltage switch gear, protective relay, and switch gear MV switch.
 - (c) Inspection of exterior of equipment, indicator lights, control switches, door handles and interlocks, grounding of equipment, buss support insulators, torque bolted buss (exposed connections only), clean buss insulators, megger test for grounds, space heaters and wiring, AC withstanding, DC high potential test, line to load, pole to pole, pole to frame, contact resistance, and any additional areas requiring inspection and testing.
 - (d) Compare equipment nameplate data.
 - (e) Inspection of overall physical and mechanical condition.
 - (f) Inspection of anchorage, alignment, and grounding.
 - (g) Verification that the unit and all related components are clean.
 - (h) Visual and mechanical inspection of the instrument transformers.
 - (i) Verification that fuse size and types are in accordance with drawings.

- (j) Verification that each fuse has adequate mechanical support and contact integrity.
 - (k) Inspection of bolted electrical connections for high resistance.
 - (l) Verification of the operation and sequencing of interlocking systems.
 - (m) Verification of correct phase barrier installation.
 - (n) Verification of correct operation of all indicating and control devices.
 - (o) Verification of appropriate lubrication on moving current-carrying parts and on moving sliding surfaces.
 - (p) Conduct insulation resistance test.
 - (q) Conduct relay tests.
 - (r) Conduct electrical high potential test.
- (14) **Internal Testing of Electric Chair and Components:** In addition to the semi-annual testing of the electric chair and components described in section (13) of this procedure, the following testing schedule and procedure shall be adhered to and conducted by Department of Corrections maintenance staff and [or] an independent contract vendor.
- (a) **Testing Schedule:**
 1. During the first two (2) weeks of each calendar quarter; and
 2. Within seven (7) calendar days preceding a scheduled execution by electrocution.
 - (b) **Pre-testing Equipment Examination and Procedures:**
 1. Saturated Saline Solution: Verification will be made that a sufficient supply of materials necessary to generate a mixture of saturated saline solution is on hand.
 2. Natural Sea Sponges: Verification will be made that a sufficient supply of new and unused natural sea sponges is on hand. New and unused natural sea sponges will be inspected as described in section (8)(j) of this procedure.
 3. Safety Switch and Cables: The safety switch will be checked to ensure the breakers are in the open position. The attached cables shall be inspected and verified to be in serviceable condition.
 4. Emergency Generator: The emergency generator will be started, with power directed to the reactor switch gear during the testing procedures.
 5. Reactor Switch Gear: After checking the safety switch and cables, the reactor switch gear will be checked for proper voltage, consistent with these procedures. The control circuit breaker will be energized. The control circuit breaker to the execution panels will be engaged.
 6. Chart Recorder: The calibration of the chart recorder will be tested. The chart recorder pens and paper will be visually and manually checked to ensure an adequate supply. A faulty pen shall be replaced. Paper and ink shall be replaced as needed. The chart recorder paper will be visually and manually checked to ensure an adequate paper supply. To test the

calibration of the chart recorder, the amperage and voltage meters located on the execution panel will be compared with the amperage and voltage readings on the chart recorder.

- a. If the amperage and voltage readings are similar, the chart recorder is accepted as calibrated.
 - b. If the amperage and voltage readings are dissimilar, the institutional warden shall be notified immediately and a professional electrical engineer must calibrate the chart recorder before proceeding with further testing.
7. **Executioner's Control Panel:** Check executioner's control panel for proper voltage, consistent with these procedures.
 8. **Head Piece Assembly, Leg Piece Assembly, Leather Restraint Straps, and Chin Strap:** Head piece assembly will be inspected for corrosion, screen breaks, or other indications of wear. Leg piece assembly, including the leather lace, will be inspected for corrosion or other indications of wear. Leather restraint straps will be inspected for indications of wear. Chin strap will be inspected for indications of wear. Any defect shall be corrected or the defective equipment replaced before proceeding with any further testing.
- (c) **The Test:** After the pre-testing procedures are complete, the high voltage electrical leads will be connected to a repeatable resistive load to measure voltage and amperage. In the order indicated here, the individual conducting the test will:
1. Close the safety switch.
 2. Energize power to the executioner's control panel.
 3. Begin the automatic cycle with the programmed 2,300 volts, 9.5 amps for 8 seconds; a second cycle of 1,000 volts, 4 amps for 22 seconds; and a final cycle of 2,300 volts, 9.5 amps for 8 seconds, for a total 38 second cycle.
 4. After the cycle is complete, manually disconnect the equipment at both the executioner's panel and the safety switch.
 5. Shut down all other operational equipment.
- (d) **Post-testing Equipment Examination and Procedures:**
1. Immediately following completion of the test, all equipment and components shall be examined and inspected for damage or wear. If any equipment, component, or material is found to be damaged, worn, faulty, or otherwise defective, it shall be replaced.
 2. If the test fails for any reason, the problem will be identified and the institutional warden shall be notified immediately. The problem will be corrected and the testing process repeated until it is successfully completed.
 3. The testing results shall be written on the chart recorder paper and shall be turned over to the institutional warden. The date of testing, and the time the testing began and was finished shall be indicated on the chart recorder paper. The chart recorder paper shall be signed by the individual who conducted the test.
- (e) **Miscellaneous Equipment Testing:**
1. The telephone lines in the death chamber shall be tested to ensure they are operable and in good working order.

2. The PA system shall be tested to ensure it is operable and in good working order.

(f) **High Voltage Glove Certification:** The high voltage gloves shall be certified annually by a professional electrical engineer, as required by the American Electrical Standards for certification. The written certification shall remain with the high voltage gloves at all times. The date for each annual certification will be determined by the latest certification date.

(g) **Calibration of Chart Recorder:** The chart recorder shall be calibrated by a professional electrical engineer at least annually.

(15) **Periodic Review and Certificate from Secretary:** There will be a review of the execution by electrocution procedure by the Secretary of the Florida Department of Corrections, at a minimum of once every two years, or more frequently as needed. The review will take into consideration the available legal jurisprudence and the protocols and experience from other jurisdictions. The Secretary shall, upon completion of this review, certify to the Governor confirming that the Department is adequately prepared to carry out executions by electrocution. The Secretary will confirm with the team warden that the execution team satisfies current licensure and certification and all team members and executioners meet all training and qualifications requirements as detailed in these procedures. A copy of the certification shall be provided to the Attorney General. The institutional warden shall provide a copy to the inmate and counsel for the inmate after a warrant is signed.

The certification shall read:

As Secretary of the Florida Department of Corrections, I have reviewed the Department's Execution by Electrocution Procedures to ensure proper implementation of the Department's statutory duties under Chapter 922, Florida Statutes. The process will not involve unnecessary lingering or the unnecessary or wanton infliction of pain and suffering. The foremost objective of the execution by electrocution process is a humane and dignified death. Additional guiding principles of the execution by electrocution process are that it should not be of long duration, and that while the entire process of execution should be transparent, the concerns and emotions of all those involved must be addressed.

I hereby certify that the Department is prepared to administer an execution by electrocution and has the necessary procedures, equipment, facilities, and personnel in place to do so. The Department has available the appropriate persons who meet the minimum qualifications under Florida Statutes and in addition have the education, training, or experience, including the necessary licensure or certification, required to perform the responsibilities or duties specified and to anticipate contingencies that might arise during the execution procedure.



MARK S. INCH
SECRETARY

MAY 06 2021

DATE

APPENDIX A
SPIRITUAL ADVISOR EXECUTION AGREEMENT

STATE OF FLORIDA

COUNTY OF _____

BEFORE ME, the undersigned authority, appeared _____,
who, after being first duly sworn, deposes and states, under penalty of perjury:

WHEREAS, the execution of _____, DC# _____, is currently set
to occur at Florida State Prison on _____, 20__ ; and,

WHEREAS, section 922.11, Fla. Stat., states that ministers of religion requested by an
inmate may be present at an inmate's execution.

NOW, THEREFORE, I, _____, a person of full age and
majority, and citizen of the State of Florida, hereby agree to the following conditions precedent
to be a witness to the execution of a sentence of death at Florida State Prison, Starke, Florida.

1. I acknowledge that my service as a spiritual advisor will require approval from the warden of Florida State Prison and will be contingent upon a criminal background check, personal interview(s) and other review procedures described in rules 33-601.713-.736 and 33-602.232, Florida Administrative Code, or as otherwise deemed necessary by the warden.
2. I consent to searches deemed necessary by the security staff at Florida State Prison to be conducted in accordance with Department of Corrections' policies.
3. I agree to comply with all rules and policies of the Department of Corrections and to comply with all lawful directives from staff while I am at Florida State Prison.
4. I agree to conduct myself in a professional manner and to refrain from causing any disturbance, unrest or unlawful resistance while on the grounds of Florida State Prison. I acknowledge that the Warden is authorized to take immediate action to protect the security of the institution, including placing restrictions on my activities; removing me from the facility; denying me future entry; confiscating any department-provided IDs;

requiring orientation or training; conducting random search procedures and any other such measures necessary to preserve the security and order of the institution.

5. I agree not to attempt to bring into the secure perimeter any photographic, audio or video recording equipment. I agree that I will not record or photograph any activities while present in the witness area, execution chamber or other areas accessible when visiting the inmate.
6. I certify by signature hereon that I am not related, by blood or by marriage, to either the condemned offender or the victim(s) of the offender's crime(s).
7. I acknowledge that violation of state law or of Department of Corrections' rules and policies may result in termination of any visit, permanent disqualification from serving as a post-warrant phase spiritual advisor and/or criminal prosecution as applicable.

I have read the above agreement, understand it, and have signed it on this date,

_____, 20__.

FURTHER AFFIANT SAYETH NAUGHT.

Dated:

Signature of Affiant: _____

Printed Name: _____

STATE OF _____

COUNTY OF _____

Sworn to or affirmed and signed before me on this ___ day of _____, 20__
by (name of affiant) _____, who is personally known to me or who has
produced _____, as identification and who did take an oath.

NOTARY PUBLIC, STATE OF
